

JOURNAL OF THE HOUSE.

Monday, January 23, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Lepper of Attleboro and Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by Bishop Feehan High School in Attleboro;

Bishop
Feehan
High
School.

Resolutions (filed by Representatives Lepper of Attleboro and Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by Saint John the Evangelist School in Attleboro;

Saint John the
Evangelist
School.

Resolutions (filed by Mr. Evangelidis of Holden) on the occasion of the retirement of Brian J. Bullock;

Brian J.
Bullock.

Resolutions (filed by Messrs. Leary of Worcester, Binienda of Worcester, Fresolo of Worcester, Pedone of Worcester and Spellane of Worcester) congratulating William J. Fay as the 2006 Grand Marshal of the Worcester County Saint Patrick's Day Parade;

William J.
Fay.

Resolutions (filed by Mr. Leary of Worcester) congratulating John J. Hartnett on the occasion of his one hundredth birthday;

John J.
Hartnett.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Craig Nally on receiving the Eagle Award of the Boy Scouts of America;

Craig
Nally.

Resolutions (filed by Representatives Poirier of North Attleborough and Kafka of Stoughton) on the occasion of the observance of National Catholic Schools Week by Saint Mary's School in Mansfield;

Saint Mary's
School.

Resolutions (filed by Mrs. Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by Saint Mary's Sacred Heart School in North Attleboro;

Saint Mary's
Sacred Heart
School.

Resolutions (filed by Mr. Ross of Wrentham) congratulating Plainville Police Officer Jason Clutterbuck on his exemplary enforcement of the drunk driving laws;

Jason
Clutterbuck.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Lorraine Daviau on the occasion of her eightieth birthday; and

Lorraine
Daviau.

Resolutions (filed by Mr. Verga of Gloucester) congratulating Vera Sloane on the occasion of her ninetieth birthday;

Vera
Sloane.

Mrs. Parente of Milford, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Rush of Boston,

the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

Somerville,
inspectional
services.

By Mr. Sciortino of Somerville, petition (accompanied by bill, House, No. 4641) of Carl M. Sciortino, Jr., and others (with the approval of the mayor and board of aldermen) for legislation to place the health inspector under the supervision of the division of inspection services in the city of Somerville;

Somerville,
charter.

By the same member, petition (accompanied by bill, House, No. 4642) of Carl M. Sciortino, Jr., and others (with the approval of the mayor and board of aldermen) for certain changes in the charter of the city of Somerville relative to the department of public works and the supervisory positions within said department; and

Somerville,
operations
manager.

By the same member, petition (accompanied by bill, House, No. 4643) of Carl M. Sciortino, Jr., and others (with the approval of the mayor and board of aldermen) that the city of Somerville be authorized to appoint an operations manager of waterworks and a certain director;

Severally to the committee on Municipalities and Regional Government.

Southwick,
Roger B.
Cataldo.

By Mr. Keenan of Southwick, petition (accompanied by bill, House, No. 4644) of Daniel F. Keenan (by vote of the town) relative to the reinstatement of Roger B. Cataldo as a police officer in the town of Southwick. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Research
corporations,
taxation.

Ms. Kaprielian of Watertown presented a petition (subject to Joint Rule 12) of Rachel Kaprielian and others relative to the taxation of research and development corporations in the Commonwealth; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Kaprielian of Watertown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Local aid,
formula.

By Mr. Curran of Springfield, petition (subject to Joint Rule 12) of Gale D. Candaras and others relative to the formula for distributing additional local aid to the cities and towns of the Commonwealth.

Braintree,
Meghan
Flaherty
Crossing.

By Mr. Driscoll of Braintree, petition (subject to Joint Rule 12) of Joseph R. Driscoll and others for legislation to designate a certain crossing on Route 37 in the town of Braintree as the Meghan Flaherty Memorial Crossing.

By Mr. Galvin of Canton, petition (subject to Joint Rule 12) of William C. Galvin and Brian A. Joyce for legislation to designate a certain bridge on High Street in the town of Canton as the Samuel "Sam" Swardlick Bridge.

Canton,
Sam
Swardlick
Bridge.

By Mr. Hill of Ipswich, petition (subject to Joint Rule 12) of Bradford Hill for legislation to designate Benjamin Franklin as the official inventor of the Commonwealth.

Benjamin
Franklin,
official
inventor.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes for legislation to eliminate fractions in the sale of gasoline and petroleum products.

Gasoline,
pricing.

By Mr. Keenan of Salem, petition (subject to Joint Rule 12) of John D. Keenan and Edward G. Connolly relative to the imposition of a fee for requests to seal criminal records.

Criminal
records,
sealing.

By Mr. Timilty of Milton, petition (subject to Joint Rule 12) of Walter F. Timilty and Linda Dorcena Forry for legislation to establish a sick leave bank for Marie Cantave-Kenney, an employee of the Municipal Court of the City of Boston.

Marie
Cantave-
Kenney,
sick leave
bank.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill authorizing certain actions by the Braintree Electric & Light Department Generating Project (Senate, No. 2318) (on Senate, No. 2271), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Braintree
Electric &
Light
Department.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Bridgewater Correctional Facilities Complex Kitchen, in the town of Bridgewater, was spread upon the records of the House; and returned to the Senate.

Bridgewater
Correctional
Facilities
Complex
Kitchen,
inspection.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Vincent A. Pedone that members of beverage licensing boards in cities and towns be required to participate in training sessions conducted by the Alcoholic Beverages Control Commission. Under suspension of the rules, on motion of Ms. Kaprielian of Watertown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Beverage
licensing
boards,
training.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill to promote proper school nutrition (House, No. 4452),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

School
nutrition.

Water
pollution.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to the pollution of water by certain toxic chemicals (House, No. 4576),— and recommending that the same be recommitted to the committee on Environment, Natural Resources and Agriculture. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Granville,
county
highways.

By Mr. Wagner of Chicopee, for the committee on Transportation, asking to be discharged from further consideration
Of the petition (accompanied by bill, House, No. 2033) of Daniel F. Keenan relative to the jurisdiction of county highways in the town of Granville;

New Bedford,
motorized
bicycles.

Of the petition (accompanied by bill, House, No. 4354) of Antonio F. D. Cabral and Mark C. Montigny (with the approval of the mayor and city council) that the city of New Bedford be authorized to regulate the operation of motorized bicycles and motorized scooters; and

Burlington,
streets.

Of the petition (accompanied by bill, House, No. 4486) of Charles A. Murphy (by vote of the town) that the town of Burlington be authorized to accept certain streets located in said town;

And recommending that the same severally be referred to the committee on Municipalities and Regional Government.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Housing
appeals,
commission.

Mr. Honan of Boston, for the committee on Housing, on House No. 4234, reported, in part, a Resolve providing for an investigation and study by a special commission relative to housing appeals (House, No. 4646). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Turnpike
Authority,
tourism
grant.

By Mr. Turkington of Falmouth, for the committee on Tourism, Arts and Cultural Development, ought NOT to pass, on the petition (accompanied by bill, House, No. 1686) of Paul J. P. Loscocco and others relative to providing for the repeal of the local tourism grant program of the Massachusetts Turnpike Authority.

Sumner
Tunnel,
tolls.

By Mr. Wagner of Chicopee, for the committee on Transportation, ought NOT to pass, on the petition (accompanied by bill, House, No. 1967) of Kathi-Anne Reinstein and Robert A. DeLeo for legislation to limit the tolls charged residents of the city of Revere at the Sumner Tunnel for use of private passenger vehicles.

Mystic River
Bridge,
tolls.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1968) of Kathi-Anne Reinstein and Robert A. DeLeo relative to toll charges on the Tobin Bridge for residents of the city of Revere and the town of Saugus.

Vehicles,
sound
amplifiers.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1995) of Michael F. Kane for legislation to regulate the operation of sound amplification systems by operators of motor vehicles.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2021) of Paul K. Frost for legislation to require that vehicles in certain funeral procession be operated with emergency flashers activated.

Funeral
processions,
regulate.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2066) of J. James Marzilli, Jr., and Alice Hanlon Peisch for legislation to require the Turnpike Authority to contract with the Highway Department for maintenance services.

Turnpike
Authority.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2137) of Deborah D. Blumer and others for legislation to establish a plan for noise abatement adjacent to the Massachusetts Turnpike.

Turnpike,
noise
abatement.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 4037) of Todd M. Smola and another relative to the approval of overweight vehicle permits by the Commissioner of Highways.

Overweight
vehicles,
permits.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

Engrossed Bill.

The engrossed Bill relative to the Northern Berkshire Industrial Park and Development Corporation (see House, No. 4376) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

House bills

Relative to the appointment of finance committee members for the town of Arlington (House, No. 4269) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

Authorizing the town of Arlington to establish a special account relative to the Symes conservation and improvement project (House, No. 4270) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the release of a conservation restriction in the town of Bedford (House, No. 4317);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next
sitting.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Rodrigues of Westport (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M.